
**Criminal Justice & Corrections
Committee**

HB 2969

Brief Description: Expanding the convicted offender DNA data base.

Sponsors: Representatives O'Brien, Miloscia, Lovick, Linville, McDonald, Simpson, D. and Rockefeller.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Expands the deoxyribonucleic acid (DNA) identification system.
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Hearing Date: 2/4/04

Staff: Jim Morishima (786-7191).

Background:

The Washington State Patrol operates and maintains a deoxyribonucleic acid (DNA) identification system. The purpose of the system is to help with criminal investigations and to identify human remains or missing persons. The system contains DNA samples from persons convicted of any felony and the following misdemeanors: stalking, harassment, and communicating with a minor for immoral purposes.

County and city jails are responsible for collecting biological samples for DNA analysis from offenders incarcerated in their facilities. The Department of Corrections and the Department of Social and Health Services are responsible for collecting biological samples for DNA analysis from offenders incarcerated in their facilities. Local police and sheriff's departments are responsible for collecting biological samples for DNA analysis from offenders who do not serve any term of incarceration.

A sentencing court must impose a fee of \$100 for the collection of a DNA sample upon every offender convicted of a felony unless such a fee would result in undue hardship on the offender. The fee is a legal financial obligation and is payable only after payment of all other legal financial obligations in the sentence.

Summary of Bill:

The DNA identification system is expanded to include DNA samples from persons:

- Convicted of prostitution or patronizing a prostitute;

- Persons who were charged with any of the following crimes, but pled guilty to another offense: any felony, prostitution, or patronizing a prostitute; and
- Persons who were found not guilty by reason of insanity for any crime.

For persons found not guilty by reason of insanity, the local police department or sheriff's office is responsible for obtaining the biological samples for DNA analysis before the person is civilly committed or released.

Appropriation: None.

Fiscal Note: Requested on January 28, 2004.

Effective Date: The bill takes effect on July 1, 2004.